

Appl. No. 09/875,311

Atty. Docket No. CM2373

Amdt. dated October 10, 2006

Reply to Office Action of July 7, 2006

Customer No. 27752

REMARKS

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Amendments to the Claims

Claims 1-9, 12-16, 22-24, 27-29, 31-32, and 38-49 are pending in the present application. Claims 10-11, 17-21, 25-26, and 33-37 have been currently canceled. Claim 30 was previously canceled. New claims 38-49 have been currently added. No additional claims fee is believed to be due.

Claim 1 has been amended as shown above. Support for this amendment can be found in the specification at page 4, lines 8-10; at page 6, line 29 and lines 39-40; at page 8, line 12; at page 16, line 37 to page 17, line 5; and at page 40, line 30-32.

Claims 2-3, 5-7, 9, 12-16, 27-29, and 31-32 have been amended, respectively, as shown above to more particularly point out and distinctly claim the subject matter of the present invention. Support for these amendments can be found in the original claims and generally throughout the specification.

New claims 38-49 have been currently added. Support for new claims 38-39 can be found in the specification at page 16, line 37 to page 17, line 5. Support for new claims 40-42 can be found in the specification at page 4, line 43 to page 5, line 1. Support for new claim 43 can be found in the specification at page 3, line 14 to page 4, line 11; at page 5, line 44 to page 7, line 13; and at page 39, line 24 to page 41, line 2.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejections Under 35 U.S.C. § 103(a) Over WO 98/01223 to Yeiser in view of US 6,407,051 to Smith et al., US 6,158,673 to Toetschinger et al., WO 99/20724 to Gordon et al., or WO 99/60086 to Cardola et al.

Claims 1, 4-9, 11, 12, 15, 18-29 and 31-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/01223 to Yeiser ("Yeiser") in view of US 6,407,051 to Smith et al. ("Smith"), US 6,158,673 to Toetschinger et al. ("Toetschinger"), WO 99/20724 to Gordon et al. ("Gordon"), or WO 99/60086 to Cardola et al. ("Cardola"). The Examiner asserts that Yeiser discloses a method of cleaning the surface of a vehicle with an aqueous cleaning solution, and then rinsing the surface with purified rinse water

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using a hand-held sprayer. The Examiner further asserts Yeiser discloses that the hand-held sprayer comprises a water purifier which includes ion exchange resin. The Examiner acknowledges, however, that Yeiser does not disclose using a cleaning composition having a pH of less than 9 and comprising a polymer which renders the surface hydrophilic.

The Examiner then asserts that Smith, Toetschinger, Gordon, and Cardola each disclose aqueous cleaning compositions for cleaning surfaces like automobile exteriors, wherein the cleaning compositions have a pH of less than 9 and comprise a polymer. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to substitute a cleaning composition as taught in Smith, Toetschinger, Gordon, or Cardola for the cleaning solution in Yeiser because such a substitution would be a substitution of equivalents.

Applicants respectfully traverse the present rejection based on the following comments. The Examiner has failed to establish a *prima facie* case of obviousness because the combination of Yeiser with Smith, Toetschinger, Gordon, and/or Cardola does not teach or suggest all of Applicants' claim limitations.

As currently amended, Applicants' claim 1 is directed to a process for cleaning a surface, wherein the process comprises the steps of: (a) contacting the surface with an aqueous cleaning composition having a pH of less than 9, the cleaning composition comprising: (i) a polymer which renders the surface hydrophilic, the polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof; and (ii) a nanoparticle clay mineral; and (b) then rinsing the surface with purified rinse water which is sprayed from a hand-held spray dispenser attached to a hose in communication with a source of tap water, the hand-held spray dispenser comprising a water purifying device which comprises an ion exchange resin, wherein the purified rinse water is prepared by the tap water passing through said water purifying device. Applicants' claimed process includes the step of applying a cleaning composition which comprises a polymer from the recited group and a nanoparticle clay mineral.

In contrast, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola fail to disclose a process for cleaning a surface in which a step is contacting the surface with an aqueous cleaning composition having a pH of less than 9, wherein the cleaning

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composition comprises the combination of (i) a polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof, and (ii) a nanoparticle clay mineral. The Examiner acknowledges that Yeiser fails to disclose a cleaning composition having a pH of less than 9 and comprising a polymer. With respect to Smith and Toetschinger, neither discloses polyvinyl pyrrolidone polymers or polyvinyl pyridine N-oxide polymers. Rather, the polymer in Smith, to which the Examiner refers, is an alkyl polyglycoside nonionic surfactant. In Toetschinger, the polymer to which the Examiner refers is a hexose polymer having a molecular weight of less than about 1000. Further, neither Smith nor Toetschinger disclose a cleaning composition comprising a nanoparticle clay mineral. With respect to Gordon and Cardola, neither reference discloses compositions which also comprise a nanoparticle clay mineral.

Consequently, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola do not disclose all of the limitations of Applicants' claimed process as claimed in claim 1 and claims 4-9, 12, 15, 22-24, 27-29, 31-32, and 38-42, each of which depends directly or indirectly from claim 1. As discussed above, claims 11, 18-21, and 33-37 have been canceled.

Similarly, with respect to new claims 43-49, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola do not disclose all of the limitations of Applicants' claimed process. Applicants' claim 43 is directed to a process for cleaning an external surface of a vehicle, wherein the process comprises the steps of (a) providing a hand-held spray dispenser attached to a hose in communication with a source of tap water, the hand-held spray dispenser comprising (i) a container for storing a cleaning composition, the cleaning composition comprising a polymer having at least one hydrophobic or cationic moiety and at least one hydrophilic moiety, wherein the hydrophobic moiety is selected from the group consisting of aromatic groups, C₈-C₁₈ linear or branched carbon chains, vinyl imidazole groups, and propoxy groups, wherein the cationic moiety is selected from any group that is positively charged or has a positive dipole, and wherein the hydrophilic moiety is selected from the group consisting of vinyl pyrrolidone groups, acrylic acid groups, methacrylic acid groups, maleic acid groups, and ethoxy groups; (ii) a water purifying device comprising an ion exchange resin, wherein purified rinse water is prepared by the tap water passing through the water purifying device; and (iii) a system

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enabling a user to switch between spraying the cleaning composition, spraying the purified rinse water, and spraying the tap water, all from the same hand-held spray dispenser; (b) spraying the external surface of the vehicle with the cleaning composition from the hand-held spray dispenser; and (c) then rinsing the external surface of the vehicle with the purified rinse water from the hand-held spray dispenser.

Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola fail to disclose a process for cleaning the external surface of a vehicle in which a step is providing a hand-held spray dispenser comprising a container for storing a cleaning composition, a water purifying device comprising an ion exchange resin, *and* a system enabling a user to switch between spraying the cleaning composition, spraying purified rinse water, and spraying tap water, all from the same hand-held spray dispenser. Therefore, the combination of the cited references do not disclose all of the limitations of Applicants' claimed process as claimed in claim 43 and claims 44-49, which directly or indirectly depend from claim 43.

As a result, the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola does not establish a case of *prima facie* obviousness, and Applicants' claims 1, 4-9, 12, 15, 22-24, 27-29, 31-32, and 38-49 are novel and unobvious over the cited references.

Rejections Under 35 U.S.C. § 103(a) Over WO 98/01223 to Yeiser in view of US 6,407,051 to Smith et al., US 6,158,673 to Toetschinger et al., WO 99/20724 to Gordon et al., or WO 99/60086 to Cardola et al., and further in view of US 2,801,941 to Johnson or US 3,658,590 to Huebner et al.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/01223 to Yeiser ("Yeiser") in view of US 6,407,051 to Smith et al. ("Smith"), US 6,158,673 to Toetschinger et al. ("Toetschinger"), WO 99/20724 to Gordon et al. ("Gordon"), or WO 99/60086 to Cardola et al. ("Cardola"), and further in view of US 2,801,941 to Johnson ("Johnson") or US 3,658,590 to Huebner et al. ("Huebner"). The Examiner asserts that Yeiser together with Smith, Toetschinger, Gordon, and Cardola disclose a method of cleaning a surface as described above with respect to claim 1. The Examiner further asserts that both Johnson and Huebner disclose a process for washing a surface in which a step is rinsing the surface with tap water between a step of contacting

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the surface with a cleaning composition and a step of rinsing the surface with purified rinse water. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the process as disclosed in the combination of Yeiser together with Smith, Toetschinger, Gordon, or Cardola by including a rinse step as taught by either Johnson or Huebner for the purpose of conserving the purified rinse water.

Applicants respectfully traverse the present rejection based on the following comments. The Examiner has failed to establish a *prima facie* case of obviousness because the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Johnson or Huebner does not teach or suggest all of Applicants' claim limitations.

Applicants' claim 3 depends from currently amended claim 1. As discussed above, claim 1 is directed to a process for cleaning a surface as claimed. As further discussed above, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola fail to disclose a process for cleaning a surface in which a step is contacting the surface with an aqueous cleaning composition having a pH of less than 9, wherein the cleaning composition comprises the combination of (i) a polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof, and (ii) a nanoparticle clay mineral. Similarly, neither Johnson nor Huebner disclose a step of contacting the surface with an aqueous cleaning composition as claimed by Applicants. While both the method of Johnson and the method of Huebner involve the use of a detergent composition, there is no teaching or suggestion to use a detergent composition which also contains a polymer of the recited group and a nanoparticle clay mineral.

As a result, the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Johnson or Huebner, does not establish a case of *prima facie* obviousness, and Applicants' claim 3 is novel and unobvious over the cited references.

Rejections Under 35 U.S.C. § 103(a) Over WO 98/01223 to Yeiser in view of US 6,407,051 to Smith et al., US 6,158,673 to Toetschinger et al., WO 99/20724 to Gordon et al., or WO 99/60086 to Cardola et al., and further in view of US 5,721,306 to Tsipursky et al. or US 3,507,798 to Egan et al.

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Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/01223 to Yeiser ("Yeiser") in view of US 6,407,051 to Smith et al. ("Smith"), US 6,158,673 to Toetschinger et al. ("Toetschinger"), WO 99/20724 to Gordon et al. ("Gordon"), or WO 99/60086 to Cardola et al. ("Cardola"), and further in view of US 5,721,306 to Tsipursky et al. ("Tsipursky") or US 3,507,798 to Egan et al. ("Egan"). The Examiner asserts that Yeiser together with Smith, Toetschinger, Gordon, and Cardola disclose a method of cleaning a surface as described above with respect to claim 1. The Examiner further asserts that either Tsipursky or Egan disclose a car wash cleaning composition which contains a clay material. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the washing composition as disclosed in the combination of Yeiser together with Smith, Toetschinger, Gordon, or Cardola to include a clay material to help in the wetting or to increase the hydrophilicity of the surface being washed.

As discussed above, claim 10 has been canceled. However, Applicants respectfully traverse the present rejection, to the extent which it may apply to currently amended claim 1, based on the following comments. The Examiner has failed to establish a *prima facie* case of obviousness because the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Tsipursky or Egan does not teach or suggest all of Applicants' claim limitations.

Applicants' claim 1, as currently amended, is directed to a process for cleaning a surface, wherein the process comprises the steps of: (a) contacting the surface with an aqueous cleaning composition having a pH of less than 9, the cleaning composition comprising: (i) a polymer which renders the surface hydrophilic, the polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof; and (ii) a *nanoparticle* clay mineral; and (b) then rinsing the surface with purified rinse water which is sprayed from a hand-held spray dispenser attached to a hose in communication with a source of tap water, the hand-held spray dispenser comprising a water purifying device which comprises an ion exchange resin, wherein the purified rinse water is prepared by the tap water passing through said water purifying device.

In contrast, Tsipursky does not disclose a cleansing composition which contains a nanoparticle clay material. Nor does Tsipursky even disclose a composition which

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contains a clay material to help in the wetting or to increase the hydrophilicity of the surface being washed. Although Tsipursky discloses a composition which may be used as a car wash composition and which contains a layered material such as a phyllosilicate smectite clay, such clay materials are included to produce a viscous gel when the clay material is swelled or intercalated with oligomer or polymer molecules. Further, the clay materials disclosed in Tsipursky have an individual clay platelet size which is larger than nanoparticle size. More specifically, the platelet faces of clay material of Tsipursky is between about 200 nm and 2000 nm. See Tsipursky at column 7, lines 47-51 (indicating that individual clay platelets have a thickness of about 10 Å (*i.e.*, 1 nm), and that the aspect ratio of the platelet face to the thickness is about 200 to 2000). Consequently, Tsipursky does not disclose compositions containing nanoparticle clay material.

With respect to Egan, and contrary to the Examiner's assertion, there is no teaching or suggestion of a composition comprising a clay material. The Examiner refers to Egan at column 4, lines 53-65, which does not mention a clay material. Instead, the cited passage discusses the stability and solubility of a polyoxyalkylene condensate detergent material, which is the subject of the invention of Egan. This passage further discloses that the condensate materials have utility as emulsifiers and wetting agents for a variety of substrates. However, again, there is no disclosure directed to clay materials, much less nanoparticle clay materials. Moreover, the remainder of the disclosure of Egan fails to teach or suggest incorporating clay materials in the detergent composition of Egan. Therefore, Egan does not disclose compositions containing nanoparticle clay material as claimed by Applicants in claim 1.

As a result, the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Tsipursky or Egan, does not establish a case of *prima facie* obviousness, and Applicants' claim 1 and all claims depending directly or indirectly therefrom are novel and unobvious over the cited references.

Rejections Under 35 U.S.C. § 103(a) Over WO 98/01223 to Yeiser in view of US 6,407,051 to Smith et al., US 6,158,673 to Toetschinger et al., WO 99/20724 to Gordon et al., or WO 99/60086 to Cardola et al., and further in view of WO 97/48927 to Hawes et al., US 3,355,018 to Smith, or US 5,647,977 to Arnaud

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Claims 13, 14, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/01223 to Yeiser ("Yeiser") in view of US 6,407,051 to Smith et al. ("Smith '051"), US 6,158,673 to Toetschinger et al. ("Toetschinger"), WO 99/20724 to Gordon et al. ("Gordon"), or WO 99/60086 to Cardola et al. ("Cardola"), and further in view of WO 79/48927 [*sic*, "79/48927"; it is assumed the Examiner meant to refer to "97/48927"] to Hawes ("Hawes"), US 3,355,018 to Smith ("Smith '018"), or US 5,647,977 to Arnaud ("Arnaud"). The Examiner asserts that Yeiser together with Smith '051, Toetschinger, Gordon, and Cardola disclose a method of cleaning a surface as described above with respect to claim 1. The Examiner further asserts that Hawes, Smith '018, and Arnaud each disclose an ion exchanger having at least three layers. Additionally, the Examiner asserts that Smith '018 discloses the visual indication of depleted ion exchange resin, and that Arnaud discloses a cation and anion ion exchange. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the water purifier as disclosed by Yeiser together with Smith '051, Toetschinger, Gordon, or Cardola by employing the features disclosed in Hawes, Smith '018, and Arnaud, because such modifications would be an obvious extension of the teachings of Yeiser.

Applicants respectfully traverse the present rejection based on the following comments. The Examiner has failed to establish a *prima facie* case of obviousness because the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Hawes, Smith '018, and Arnaud, does not teach or suggest all of Applicants' claim limitations.

Applicants' claims 13, 14, and 31 depend from currently amended claim 1. As discussed above, claim 1 is directed to a process for cleaning a surface as claimed. As further discussed above, Yeiser together with Smith '051, Toetschinger, Gordon, and/or Cardola fail to disclose a process for cleaning a surface in which a step is contacting the surface with an aqueous cleaning composition having a pH of less than 9, wherein the cleaning composition comprises the combination of (i) a polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof, and (ii) a nanoparticle clay mineral. Similarly, neither Hawes, Smith '018, nor Arnaud disclose a step of contacting a surface with such an aqueous cleaning composition as claimed by Applicants.

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As a result, the combination of Yeiser with Smith '051, Toetschinger, Gordon, or Cardola, and further with Hawes, Smith '018, and Arnaud, does not establish a case of *prima facie* obviousness, and Applicants' claims 13, 14, and 31 are novel and unobvious over the cited references.

Rejections Under 35 U.S.C. § 103(a) Over WO 98/01223 to Yeiser in view of US 6,407,051 to Smith et al., US 6,158,673 to Toetschinger et al., WO 99/20724 to Gordon et al., or WO 99/60086 to Cardola et al., and further in view of WO 97/48927 to Hawes et al. or US 4,135,646 to Shaw

Claims 16, 17, 32 and 35-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/01223 to Yeiser ("Yeiser") in view of US 6,407,051 to Smith et al. ("Smith"), US 6,158,673 to Toetschinger et al. ("Toetschinger"), WO 99/20724 to Gordon et al. ("Gordon"), or WO 99/60086 to Cardola et al. ("Cardola"), and further in view of WO 97/48927 [*sic*, "79/48927"; it is assumed the Examiner meant to refer to "97/48927"] to Hawes ("Hawes") or US 4,135,646 to Shaw ("Shaw"). The Examiner asserts that Yeiser together with Smith, Toetschinger, Gordon, and Cardola disclose a method of cleaning a surface as described above with respect to claims 1, 33, and 34. The Examiner further asserts that Hawes and Shaw each disclose that it is old and well known in the art to provide a spraying device with a plurality of storage containers for spraying a plurality of fluids from the plurality of sources. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the device of Yeiser to include an arrangement of spraying both the cleaning composition and rinse water from the same spraying device as taught by either Hawes or Shaw.

Applicants respectfully traverse the present rejection based on the following comments. The Examiner has failed to establish a *prima facie* case of obviousness because the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Hawes and Shaw, does not teach or suggest all of Applicants' claim limitations.

Applicants' claims 16 and 32 depend directly or indirectly from currently amended claim 1. Claims 17 and 35-37 have been canceled. As discussed above, claim 1 is directed to a process for cleaning a surface as claimed. As further discussed above, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola fail to disclose a

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process for cleaning a surface in which a step is contacting the surface with an aqueous cleaning composition having a pH of less than 9, wherein the cleaning composition comprises the combination of (i) a polymer selected from the group consisting of polyvinyl pyrrolidone polymers, polyvinyl pyridine N-oxide polymers, and mixtures thereof, and (ii) a nanoparticle clay mineral. Similarly, neither Hawes nor Shaw disclose a step of contacting a surface with such an aqueous cleaning composition as claimed by Applicants. The cleaning composition of Hawes is taught to contain built detergents, low foam surfactants, and an ethoxylated quaternary surfactant; however, there is no teaching or suggestion for the cleaning composition to contain either a polymer from the recited group or a nanoparticle clay material. In Shaw, there also is no teaching or suggestion for the dispensed fluid described therein to contain either a polymer from the recited group or a nanoparticle clay material.

Consequently, the combination of the cited references do not disclose all of the limitations of Applicants' claimed process as claimed in claims 16 and 32, which directly or indirectly depend from claim 1.

With respect to new claims 43-49, Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola do not disclose all of the limitations of Applicants' claimed process. Applicants' claim 43 is directed to a process for cleaning an external surface of a vehicle as described above. Yeiser together with Smith, Toetschinger, Gordon, and/or Cardola, and further with Hawes or Shaw, fail to disclose a process for cleaning the external surface of a vehicle in which a step is providing a hand-held spray dispenser comprising a container for storing a cleaning composition, a water purifying device comprising an ion exchange resin, *and* a system enabling a user to switch between spraying the cleaning composition, spraying purified rinse water, and spraying tap water, all from the same hand-held spray dispenser. Although Hawes discloses a dispenser attached to a garden hose, that dispenser is designed to spray only cleaning composition or purified water. Likewise, the dispensing apparatus disclosed in Shaw has only a first fluid flow and a second fluid flow.

Therefore, the combination of the cited references do not disclose all of the limitations of Applicants' claimed process as claimed in claim 43 and claims 44-49, which directly or indirectly depend from claim 43.

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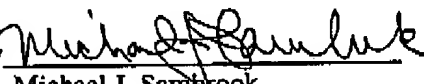
As a result, the combination of Yeiser with Smith, Toetschinger, Gordon, or Cardola, and further with Hawes or Shaw, does not establish a case of *prima facie* obviousness, and Applicants' claims 16, 32, and 43-49 are novel and unobvious over the cited references.

CONCLUSION

In light of the amendments and remarks presented herein, it is requested that the Examiner reconsider and withdraw the present rejections. Early and favorable action in the case is respectfully requested.

Applicant has made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicant respectfully requests reconsideration of this application and allowance of Claims 1-9, 12-16, 22-24, 27-29, 31-32, and 38-49.

Respectfully submitted,
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